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REMARKS

Claims 1-45 were originally presented in the subject application. Claims 1, 16 and 31 were amended in a Response dated December 30, 2003, to correct a typographical error.

Claims 1, 2, 16, 31 and 32 have herein been amended to more particularly point out and distinctly claim the subject invention. The Summary and Abstract have also been amended commensurate with the amendment to claims 1, 16 and 31. No claims have herein been added or canceled. Therefore, claims 1-45 remain in this case.

The addition of new matter has been scrupulously avoided. In that regard, support for the common amendment to independent claims 1, 16 and 31 can be found in the claims themselves as originally filed. The amendment to claims 2 and 32 is necessitated by the amendment to claims 1 and 31, respectively.

Applicants respectfully request reconsideration and withdrawal of the various grounds of rejection.

Objection to Drawings

The Office Action objected to FIG. 2 under 37 C.F.R. § 1.84(p)(5) for failing to include reference numeral 200.

In response, Applicants include herewith a proposed drawing correction. If acceptable, Applicants will file amended formal drawings.

35 U.S.C. §103(a) Rejection

The Office Action rejected claims 1, 2, 8, 31 and 32 under 35 U.S.C. §103(a), as allegedly obvious over Dialog File 613 (PR Newswire, "Veteconic.com Web-Enables Veterinary Supply Chain Using Neon Technology," dated July 13, 2000). Applicants respectfully, but most strenuously, traverse this rejection.

Applicants view the substance of the rejection as technical in nature, essentially analogizing the electronic order confirmation to a substrate, and the entitled price and

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estimated date of delivery to printed matter, and applying printed matter case law. In particular, the Office Action alleges that a functional relationship between the electronic order confirmation, and the entitled price and estimated date of delivery is required and absent from the claims.

While Applicants question whether the analogy to the printed matter case law is proper, especially in light of the CAFC's warning in the cited case law to be careful not to expand the law beyond printed matter, Applicants have discovered that a similar scope can be achieved with claim language that renders the substance of the rejection moot.

Specifically, the step of obtaining the electronic order confirmation, with the confirmation comprising an entitled price and an estimated date of delivery, has been recast as obtaining the entitled price and the estimated date of delivery. This was implicitly present already, since an electronic order confirmation could not include that information unless it was available. The recitation that the order confirmation includes that information was moved to a wherein clause in the step of automatically returning the electronic order confirmation. This rearrangement effectively renders the technical argument in the Office Action moot, since there is now an express step of obtaining the entitled price and the estimated date of delivery.

Since the Office Action acknowledges that Dialog File 613 does not disclose the order confirmation and estimated date of delivery, Applicants submit that claim 1 cannot be obvious over Dialog File 613.

Claim 31 was amended similar to claim 1. Therefore, Applicants also submit that claim 31 cannot be rendered obvious over Dialog File 613.

The Office Action rejected claim 16 under similar rationale as claim 1, but added Sarkar (U.S. Patent no. 6,418,448), due to the fact that claim 16 is recited in means-plus-function format. Claim 16 has also been amended similar to claim 1. Therefore, Applicants submit that claim 16 also cannot be rendered obvious over Dialog File 613 (in view of Sarkar).

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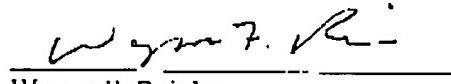
CONCLUSION

Applicants submit that the dependent claims are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

Applicants acknowledge the references cited in the Office Action, but not substantively applied. However, Applicants submit that the pending claims are patentable thereover as well.

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly requests allowance of claims 1-45.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

  
Wayne F. Reinken

Attorney for Applicants  
Registration No.: 36,650

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HESLIN ROTHENBERG FARLEY & MESITI P.C.  
5 Columbia Circle  
Albany, New York 12203-5160  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579